

## MINUTES

### WARRICK COUNTY AREA PLAN COMMISSION

Regular meeting to be held in Commissioners Meeting Room,  
Third Floor, Historic Court House,  
Boonville, IN  
Monday, February 8, 2021, 6:00 PM

**PLEDGE OF ALLEGIANCE:** A moment of silence was held followed by the Pledge of Allegiance.

**MEMBERS PRESENT:** Amanda Mosiman, Doris Horn, Bryan Flowers, Jeff Willis, Richard Reid, Bill Byers. Member absent was Bob Johnson.

Also present were Morrie Doll, Attorney, Molly Barnhill, Executive Director and Katelyn Cron, Assistant Director.

**MINUTES:** Amanda Mosiman made a motion to approve the January 12, 2021 minutes. The motion was seconded by Richard Reid and carried unanimously.

**PP-21-01: Arabella Subdivision:** PETITIONER: Chamness Surveying by Mark Chamness, Owner. OWNER: Gina Meckler and Richardt Family Ltd. Partnership by Julie Herrera, member. 14.437 acres located on the east side of Lenn Road. Approximately 0' east of the intersection formed by Lenn Road and Fairview Drive. Ohio Twp 35-6-9. (*Complete legal on file*). (*Advertised in the Standard January 28, 2021*).

Mrs. Barnhill said okay. She asked would you like a staff repost.

President Willis said yes please.

Mrs. Barnhill said on the return receipts, we have emailed copies of the green cards and the white pay receipts but we do not have that notice affidavit so any approvals would be subject to...

Mark Chamness, Chamness Surveying, was present.

Mark Chamness said they will be in in the morning.

Mrs. Barnhill said okay, thank you. She said the email copies we did receive, we have all the white pay receipts and so they were mailed properly. She added we were just making the two green cards in that email. She said whenever you get those please just bring those in. She said the zoning is "A" Agricultural, "R-1A" One Family Dwelling, and "C-4" General Commercial. She said there is no flood plain and there are two residential lots. She said for street construction plans, there are two existing entrances onto SR 66 and Lenn Road. She said the commissioner's approved the request for no improvements on Lenn Road, and any further improvements on SR

66 would have to be permitted through INDOT. She said the Drainage Board approved their request for no drainage plans today. She said Newburgh Sewer currently services the development and Indiana American Water currently services the development as well. She said the owner of Lot 2 is selling 3.979 acres to the Mecklers who have 5 acres with a single family dwelling on Lenn Road. She said there are no new building sites but due to the zoning this had to be done with a major subdivision. She said the plat is in order and the only condition would be the affidavit of notice being turned into the office.

President Willis asked anything to add to the staff report.

Mark Chamness said no, nothing to add.

President Willis asked any questions from the Board, being none, any remonstrators for or against this project. He asked again, any other questions from the Board. He said being no further discussion I will entertain a motion.

Richard Reid made a motion to approve PP-21-01. The motion was seconded by Doris Horn and carried unanimously.

#### **OTHER BUSINESS:**

Discussion: Permitted uses in Commercial Zonings.

Mrs. Barnhill said so we have entire residential subdivisions that are in commercial zonings and unless they have private restrictions that they enforce, which we don't even look at those, how do we keep a commercial business from going into there. She said I do not know what to tell them when they ask, because when a business is looking to relocate to Warrick County they call our office and say what zoning do we need so that is zoning they go to look for so if we have a whole subdivision in say, C-3 which we do, what keeps them out of there. She said for example, the one that called was a lawyer's office or something, so they are small offices, nothing big has inquired about this and I do not have anything to say they couldn't go in there.

Richard Reid said it is also bad for bank financing with those residential lots that are zoned commercial, so we really need to change those things.

Amanda Mosiman said they should, in my opinion, they should have never been in there but I understand that sometimes the way things develop you get caught with that, but we can't stop them. She said if it is zoned commercial it is because the comprehensive plan deemed it so, we can't do anything about that, we can't stop it.

Mrs. Barnhill said well I did look at the Vanderburgh County ordinance, and right now everything that we have trickles down C-4 or C-3 goes down to the residential, there is a few that it skips around on, Vanderburgh County does not have the trickle down. She said I think it allows some multi-family uses in a commercial zoning but not single family dwellings in that higher commercial.

Amanda Mosiman said I mean in my opinion that would be ideal but I think moving forward it is just going to create conflict. She said I mean we cannot retroactive do anything about it.

Attorney Doll said no, they are grandfathered, whatever exists can't be changed.

Mrs. Barnhill said right.

Attorney Doll said but we could change our statute, we could advertise, if the Board instructs Molly, we could advertise and we could make a change where either we would have a clean break at the different district levels from residential to commercial or at the very least, at the very lowest level, we would have a limited trickle like you said, multi-family perhaps would be the lowest level commercial. He said other than that not allow single family residences to be placed, in the future, in commercial districts. He said we will have to change our ordinances to do this. He said now, I am guessing Mr. Morley is going to tell us about mixed-use and how a great idea is mixed-use, where you have both commercial and residential in the same geographical district and it gives you the ability to create villages, where there is perhaps commercial on a downstairs floor and residences above it, Tell City has it, Mt. Vernon has it, and I am sure Evansville has it, I don't know. He said yeah they do, down by the river. He said urban planners are going to tell you that that is a real good idea to have those mixed-uses occur in the same geographical districts but...

Mrs. Barnhill said we do have some of that, in the Newburgh area especially, where they run their business downstairs and they live upstairs.

Attorney Doll said but these are much bigger units, these are apartments that generally are even a mixed-purpose residential unit where they have some higher end apartments that are market driven rents and then they may also have some housing created in those mixed-uses that are set aside for low-end rents to keep not only the mixed purposes in it but also to inter-mingle tenants into the same areas so if you are going to stop this multi-use you are probably going to pay a price in having a chilling effect of mix use in Warrick County.

Amanda Mosiman said well there are some places where mixed-use completely makes since where other places not so much.

Mrs. Barnhill said right.

Attorney Doll said well and it may be a thing where we allow mixed-uses in some areas but not others, but that is a bigger task.

Mrs. Barnhill said well the one we got the phone call on was Brookstone off of Oak Grove.

Amanda Mosiman said okay.

Richard Reid said like the old Englebrecht Orchard, that is really stupid right there.

Amanda Mosiman said yeah.

Richard Reid said you know we have commercial zoning back there and I think everything is residential and if you went in there and signed a petition I think everyone would sign it.

President Willis asked is that Englebrecht is that where we have had to change a few things because they couldn't get bank financing on it.

Mrs. Barnhill said yes.

Attorney Doll said we have had a problem with financing some condominiums there mostly because banks have a chilling affect with condominiums. He said they don't, you know, after the financial crash of 2008-2009 condominiums started to fall out of favor with lending institutions because if a lot of people left a condominium project there is not very many people paying the HMO's and the loaner fees and so the bank takes it back in a foreclosure proceeding and then the bank all of a sudden starts paying Home Owner's fees to maintain the building because otherwise if the building starts to go down then we've got a situation where the bank can't get its money out with no choice to sell but as a repossessed home. He said what we had to do there is we actually had to make it into a PUD and then give deeded lots to the townhouses or to the, well it wasn't townhouses per say, it was multi-unit houses that were there kind of like multiple duplexes side by side by side where we actually created them into their each individual residences so I don't know if Mr...

President Willis asked do you have something to add Mr. Morley.

Jim Morley Jr., Morley Owner, was present.

Jim Morley Jr. said so I talked to Molly briefly about this before the meeting. He said so I see both sides of the situation because I can definitely see why someone doesn't want a liquor store in a residential subdivision.

Amanada Mosiman said well if we are talking about bourbon that is one thing.

Attorney Doll said well wait a minute you could walk there.

Jim Morley Jr. said that is true, lower drinking and driving that way I guess. He said so I can see that side of it, the flip side of it, you all know where the apartments are on 66. He said when that 75 acres was purchased they didn't know what they were wanting to do with it so we just rezoned all that property to C-4; now ultimately it has a hotel in it, an apartment complex in it, a bunch of single family homes in it, and I am sure they are trying to sell it for restaurants and stores along the front. He said so some of that property gets rezoned before you really know what you are going to do with it and in Warrick County, I will say Warrick County tends to be a little more developer friendly than some of the other counties and for the developer that is appealing because if you don't know how big your lots are going to be, I mean if you miss your zoning line by 20' now you have the back yard or the residential house is C-4 or the flip side of it is you

have 15' into a commercial lot that is R-1. He said so that is one of the benefits that Warrick County provides a developer is they don't have to have everything figured out in the beginning because of the trickledown effect, as a person who works for a lot of developers, so I mean in that sense... He said you know at the time, you know Arbor Pointe was pretty much done right when the crash hit, you know the city of Evansville was rapidly growing east and you know that area was rapidly growing west and it was like well shoot they are going to hit right in the middle and there is nobody around you, C-4 of 75 acres makes a ton of sense because at one point Costco looked at going at that site you know, but had we not had trickle down zoning they would have had to forecast in '07 how that ground was going to be used. He said now, 14 years later we still don't know how all that ground is going to be used because there is still vacant ground out there so the trickle down affect does offer some flexibility that some of the other surrounding counties don't have. He said I agree on the flip side of it, I would not want a liquor store in my residential neighborhood. He said so there is a give and a take there and so I don't know how to have your cake and eat it too but there is a perc for growth in Warrick County. He said some of the things people like about Warrick County is it is a great community, great schools, low taxes, and it is easier to develop in Warrick County than in some of the other communities and that is one of the things that is easier. He said I can see it both ways, I will say I would not suggest not having residential in any type of "C" and not having any type of "C" in any type of residential to the extent that if I was an accountant, a one man accountant, and I wanted to have my shop in my house technically I am a business and you know I would think we would want someone to be able to run a one man accounting firm in their house.

Attorney Doll said you can do that with a home occupation.

Jim Morley Jr. said yeah, I just mean that in my mind it is not as clear as just saying all "C" and all "R".

Attorney Doll said it is not.

Amanda Mosiman said no.

Jim Morley Jr. said in Vanderburgh County, I was sharing with Molly, they allow apartments in C-2 zoning and the reason you would do an apartment in C-2 zoning in Vanderburgh County the height limits are different so in R-4 zoning, which is the highest residential zoning, well there is an R-5 but it is for skyscrapers, the R-4 zoning is like has a maximum height of I think 40'.

Attorney Doll interjected 44'.

Jim Morley Jr. said yeah and you are hard pressed to get a 3 story building in that height, but a C-2 has a maximum of 50' or 55' which means you can get 3 story apartment building in a C-2 but you typically cannot get a 3 story apartment building in a R-4 because of the height restriction. He said there are some, you know I am not against the conversation of coming up with a better mouse trap, but I would advise you all not just to draw a line that says okay "C"'s with "C"'s and "R"'s with "R"'s and were not ever mixing them because it is more complicated than that. He said I will further say that as you start to have to guess in advance where all your

zonings go and you guess wrong and now you are trying to rezone something to commercial right next to the 20 houses you just sold people now you are going to have 20 houses remonstrating against you because you guessed wrong by 50' on where there lot line is going to be. He said I think there are a lot of challenges and I wanted to come forward and I came back tonight just because if we do "R" is an "R" and "C" is a "C" because I am afraid that is not that easy and we may hurt Warrick County.

Attorney Doll asked Jim you are working on a new residential project behind Walmart in Newburgh, but it is in Ohio Township, what is the zoning on that land.

Jim Morley Jr. said it is a PUD, okay so there is a great case. He said so that ground is zoned C-4 and it was zoned that way around the same time as Arbor, in the 2005-2008 time frame. He said they rezoned the whole thing C-4 because jeez who wouldn't have thought that 80 acres is great for C-4, that is going to be all commercial right.

Attorney Doll said right.

Jim Morley Jr. said 15 years later, you know, if you take out what Walmart built there is still a lot of vacant ground in there and now that developer has been trying to figure out, well actually that developer went under, the bank inherited the ground back, then the bank has resold it to somebody new and they are trying to figure out what in the world are we going to do with this property to sell it because if you would have asked me well should that be zoned commercial, well heck yeah. He said it is right along the highway it is right at Bell Road this is a no brainer, but the reality of it is the commercial people have not come to fruition like they thought 15 years ago. He said so in that situation because we had duplexes because what we were talking about as far as condos and horizontal land regime act stuff they wanted them on individual lots, to meet the individual lots we had to do a PUD and so we did a PUD. He said we could have done a PUD/R-2 or something but we made it a PUD/C-4, and I will put all my cards on the table and tell you all my tricks here, the reason we do that is if they would have rezoned that to PUD/R-1 and the market crashed next week, it is harder to up zone it back up to C-4 then to...

Attorney Doll said you can always go down.

Jim Morley Jr. said yeah, it is harder to rezone a PUD/R-1 up to a C-4 opposed to a PUD/C-4 back to a C-4. He said I always council my clients you know, once you have a heavier zoning don't give it up because you never know what the future is going to bring. He said I mean some of these things seem like no brainers, and some of them are no brainers, but some of them I mean I would have told you back when they bought that ground where Arbor Pointe is you know this is a no brainier. He said this is right in the middle where the growth is meeting, INDOT had bought a contract for the stoplight. He said you know to me that is like the best investment ever. He said literally they went bankrupt and the bank inherited that ground back and they resold it for a whole lot less than what it is worth, and the same thing has happened behind the Walmart. He said so you know some developers do make a lot of money but the reality is some go bankrupt and get their ground re-foreclosed on. He said you just never know what that is going to bring so the trickle down zoning in Warrick County does offer some flexibility that they just

don't get in other surrounding counties. He said admittedly, it brings some questions of what do you tell somebody when they want to build a mini-mart in the middle of a residential subdivision, personally I always thought who in their right mind would want to build a mini-mart in the middle of a residential subdivision but evidentially Molly has people asking those types of questions.

Attorney Doll said yeah, currently.

Jim Morley Jr. said so I just wanted to kind of say my peace for what that is worth. He said I mean if you guys do decide to look into it or if you end up having some kind of committee or something I would be happy to be a part of it just because I would like to speak into it because I do think there is a valid question there but I think it comes with implications from both sides.

Attorney Doll said thanks Jim. He said so the question goes to the Board on whether the Board wants Molly to advertise to make a potential change to our zoning districts to stop, modify, or change somehow the trickle down to our zoning districts or not. He said or do you want to table it for tonight and bring it up next month. He asked we have one or two pending right now don't we, well don't we have something at Victoria.

Mrs. Barnhill said yes, one thing has been filed right now a residential subdivision in a C-2.

Attorney Doll said it would be grandfathered frankly if you... He said even if we change the ordinance it takes time to do that. He said we have to advertise, we have to have a public hearing, we have to send it to the commissioner's, and the commissioners have to decide on it. He said so even if everybody says we want change this it is a 2 to 3 month period for us to get it changed so more than likely the Victoria application will be processed and moved through the system before that will ever happen and my advice to the Board would be if it was filed before any change in the ordinance it is grandfathered, just like if it has already been build it is grandfathered. He asked so the question would be what do you want Molly to do. He asked do you want her to advertise it or do you want her to study it. He said I guess you can appoint a study committee and ask Molly to chair that or secretary that so we can debate it and see what we think, or we can table it a month and bring it up at the next meeting in March.

Amanda Mosiman asked how often are you dealing with this approximately with this particular issue Molly.

Mrs. Barnhill said not that often.

Amanda Mosiman said so a couple times a year maybe.

Mrs. Barnhill said yeah it has been more recent. She said I just wasn't quite sure how to handle it so I am asking for advice on it I guess.

Bill Byers asked could you put forward some pros and cons for discussion.

Attorney Doll asked for the future, for discussion in the future. He asked like next month.

Bill Byers said you know it depends on whether you have money in the game or plans in the game.

Attorney Doll said it somewhat depends, doesn't Bill, on whether you are an existing home owner in the neighborhood and after somebody is coming in and saying I want to add a commercial type use to your neighborhood. He said which is... Victoria has a project that is commercially zoned that they want to put residences in, but they also want to put what I am going to call light commercial in the same project. He said I think maybe a food mart of some sort maybe.

Mrs. Barnhill said maybe in the future, yes.

Attorney Doll said a laundromat.

Mrs. Barnhill said that was discussed.

Attorney Doll said and it's short-term rental, I'm guessing is what this will be for golfers who may be coming in or...

Mrs. Barnhill said no, this is a residential subdivision.

Attorney Doll said okay. He said I thought maybe it might be an Air B-n-B or something.

Mrs. Barnhill said it looks, it's more like a normal residential subdivision with maybe a few mixed uses in the future phases.

Attorney Doll said the thing of it is, they don't have to get a variance of any kind or re-zone any of it because it is already commercial, which would permit the light commercial use and with trickle-down, they can build the residences already in it. He said they don't have to come in and do any of those things, so I think that started everybody thinking, sort of scratching their head and going 'now wait a minute, is that really what we want to see happen in Warrick County or not?'. He said I think we've talked about the obvious advantages or disadvantages. He said developers will up-zone as high as they can and try to hold that zoning as a hedge against unknown variables in the real estate market. He said there also are public policy purposes for having mixed use, we've talked about that. He said both socioeconomic as well as urban planning policies. He said a lot of people just think 'hey I bought a house in a residential subdivision, I don't want'...

Mrs. Barnhill said and when we do a residential subdivision, they said when we're doing it that it's a residential subdivision and that's what we give the permits for. She said but when they start mixing it up, that's when they do the PUD but now if they're already zoned high, the PUD is for mixed uses, that's exactly what it's for.

Attorney Doll said it is, and also for variances from setbacks and a lot of things that you can't really be very imaginative with in a standard subdivision. He said the PUD lets you have flexibility for most of these. He said you have envelopes as opposed to setbacks in property lines, et cetera.



President Willis said any other discussion on that, do we want to talk about it next month...kind of come up with some pros and cons on our own.

Attorney Doll said do you want us to see if we can find some literature for you on mixed uses. He said that really isn't directly the question, but you can't have mixed uses unless you sort of have trickle-down or a PUD.

President Willis said my concern is, I don't want to, I worry about if I built me a shop that's C-2 and I put my loft above it, I want to make sure I can keep my loft up there to live in while I'm starting my business.

Attorney Doll said sure.

President Willis said we don't want to kick those kind of people out, those aren't, those are the ones that really can't afford to come in and pay the extra couple hundred bucks to start their...you know, they're already usually on a shoestring getting their business started. He said that's why they're living at their business. He said on the other hand, I understand the concern is we're going to put this 500 home subdivision in and it's in a commercial zoning and we have to hope that they set up their covenants good enough that the residents aren't going to be mad in 10 years and come back and try to be mad at us because somebody came in and put in a self-storage facility in the middle of their neighborhood.

Amanda Mosiman said and part of me is like, buyer beware. She said yes, it's a house but check your zoning before you buy it. She said there's not a lot of people that understand that I guess.

Jim Morley Jr said can I ask, I mean, Molly you said you've had a couple people a year ask you 'has Warrick County ever actually issued a permit for something that is, I'll say, out of keeping with the things around it?'. He said I mean have we ever issued a minimart permit in the middle of a residential sub, I mean I'm not...just something that's out of keeping. He said have we ever done house, house, house, commercial, house, house, house.

Mrs. Barnhill said no, not that I know of, no.

Jim Morley Jr said and so there's some people that have asked the question and scratched their head, but ultimately they chose not to put their engineering office in the middle of their subdivision.

Mrs. Barnhill said well and here's what I told them, it's residentially designed even though it's zoned C-4.

Amanda Mosiman said which is true, I mean you're not misleading them in saying that.

President Willis said I mean, without the parking requirements...

Amanda Mosiman said if someone wanted to push the issue, they could.

Jim Morley Jr said the reality of it is most residential lots now are a quarter acre, I mean you would be hard-pressed to shoehorn a commercial building onto a residential lot in today's time. He said I mean maybe, a long time ago, when they were an acre lot, maybe that's something. He said but now when they're 60 feet wide, you can't even get double-row parking there. He said I'm happy to speak in whatever would be helpful, but if we've not technically had a problem the reality is that there's a lot of people out there that have shops with parking above them. He said if you look out here around town square, I understand this is Boonville, but that's what they're pushing for is restaurants and stores on the first floor and a loft apartment above. He said that's what's up and down Main Street in Evansville and

that was, we talked a little bit about that Victoria job, you'll see it next month as a primary plat and it's not in this phase 1 but that was one of the ideas that was kicked around would be some kind of little town square thing.

Attorney Doll said village.

Jim Morley Jr said where you've got some commercial on the first floor and a residential type thing above it. He said I do fear maybe that we might create the opportunity for more problems by changing it than the number of problems that we're actually having to deal with now.

Mrs. Barnhill said I guess I was just trying to get ahead of it, so can we say just have this on your radar so if it comes up again...

Attorney Doll said well it would seem to me, before we go changing public policy, we need to know more about this. He said we need to study it, we need to get some more information maybe from Purdue or someplace else, as much as it kills me to say that. He said so that we can actually have some documents or some information that we could give to all of you that says, and I'll tell you who we ought to talk to is Ball State. He said Ball State has an urban planning institute that's part of its school of architecture. He said Ball State has the only school of architecture in the state.

Amanda Mosiman said I have a very good friend that works for that office, I can ask Brian and see what he has.

Attorney Doll said someday I'll tell you my Ball State stories. He said living with an architectural student is a very strange experience. He said maybe we ought to try and get some literature and pass it out and then I think Jim is right, if you're going to do this, I think we ought to have a little bit of a study committee. He said so if we do put an advertisement out for change in our policy, we know a little bit about what we're talking about before we do that. He said so what we'll be sending to the commissioners will be our very best product as opposed to hey, maybe we ought to change this. He said that would be my recommendation to the APC.

Mrs. Barnhill said so how does that get done.

Attorney Doll said well, Amanda can give us the contact information at Ball State. He said Molly, either your office or I, on behalf of your office can reach out to Ball State to see if we can get some information about mixed use in zoning districts and I'm sure it would be electronically transferred, so we could get it to you all electronically and then we could put it back on the board meeting to see whether we want to form a committee to study this and report back. He said my only advice is the committee should be an odd number of people and I think it ought to have somebody like Jim, it ought to have maybe developer or builder, it ought to have maybe somebody from public housing. He said I'm not sure who we have in Warrick County or don't. He said something like that that would talk about...do you remember we had an application here a year ago, there was an out of town developer, I think he was from Ohio, and he wanted to put together a public grant application for low-income housing and...Richard we talked about that, I remember you asked a lot of questions in that hearing. He said do you remember that, and that was sort of a mixed use. He said it wasn't commercial versus residential as much as it was just a mixed use property and we had two or three meetings where we heard about that. He said Aigner was involved. He said I don't think anything came of it.

Mrs. Barnhill said was that when we amended the comprehensive...

Amanda Mosiman said we amended the comprehensive plan to make sure we accounted for a specific, like section 40 is coming to mind.

Jim Morley Jr said and if I remember right, it had something to do with getting tax credit financing that you had to have a certain language in line. He said there's a lot of that tax credit financing that goes on to help make affordable housing.

Attorney Doll said which is what Mount Vernon did, which is what Tell City did, and they've done it in mixed use settings where they have retail on the ground floor and on the very top of the building they have high end rentals or condos or something and in the middle they have affordable housing.

Jim Morley Jr said and the tax credits allow them to build a very nice facility but they get enough tax credits back that they can charge low rents for a project that costs way more than that rent, so that's how they do the affordable housing. He said we just did a tax credit project, a couple of them, in Evansville. He said it's something pretty common.

Attorney Doll said does Warrick County zoning interfere with doing tax credits here, or not.

Jim Morley Jr said I don't think it does. He said the way it's set up now, I don't think it is. He said another thing I don't know, and Morrie I've been...I also don't know, can you do vertical zoning where like you'd have a commercial first floor and a residential second floor because I'm unaware of the ability to stack zonings because I think it's got to be a mixed use all the way through because I looked at that on a project in Vanderburgh County where we were going to do, they wanted to do...it was an old factory and they wanted to do manufacturing on the first floor, office on the second floor, and then loft apartments on the third floor. He said we could get the offices and the manufacturing in the same zoning, but we couldn't get manufacturing and residential in the same zoning and that planning commission said who in their right mind would want to live about a factory. He said but the reality of it is, if those people bought those condos, well I guess those people wanted to live above a factory. He said we had a hard time figuring out how to stack zoning like that.

Attorney Doll said yeah, I'm not sure.

Mrs. Barnhill said is that where a PUD would be applicable.

Attorney Doll said maybe.

Jim Morley Jr said I will tell you, in Vanderburgh County we couldn't even do it with a PUD. He said there was no vehicle for stacking zoning, it had to be...so the zoning horizontally had to work because we couldn't stack it vertically. He said I don't know if there's a way to get around that in Warrick County but just for what it's worth, because we were trying to do one of those mixed uses and we couldn't get all three uses into one zoning classification.

President Willis said you can't get residential and manufacturing in Warrick County, either.

Attorney Doll said no, you can't.

Jim Morley Jr said no, just in commercial. He said trickle-down is not all the way through in Warrick County, it's just from commercial down.

Attorney Doll said don't we have an abundance of older buildings...that generally works with retrofitting.

Jim Morley Jr said yeah.

Attorney Doll said where you take a factory building or a warehouse or whatever, and you convert it into a current use. He said but I'm not sure Warrick County has an abundance of pre-existing structures like that.

Jim Morley Jr said I don't think in the Warrick County, I think there's some stuff like in the town of Newburgh or in Boonville or Chandler. He said I mean like where the Tin Fish used to be, in the Jennings Station. He said that's an old factory that got converted to a restaurant and offices. He said the truth of it is, I think there's even a couple loft apartments right on the highway or the old 662. He said but I don't think in Warrick County Proper I agree with you.

Attorney Doll said I don't know that we have a lot of pre-existing structures.

Amanda Mosiman said apparently there are some states, mainly large cities that are creating an entire new zoning categories entitled vertical mixed use. She said so instead of...

Jim Morley Jr said I'm ahead of my time.

Amanda Mosiman said for most, they would be a PUD or DME but they're actually creating these VMUs.

Jim Morley Jr said I do question if we may be creating a monster that we don't need to create. He said if there's a different way to deal with the one or two people a year that ask if they can put an office in the middle of that neighborhood.

Bill Byers said so how did Evansville handle the federal building, for instance, and some of those projects.

Jim Morley Jr said the permits for the federal project, where they turned it into the plaza, we did that project and Evansville has something called a C-3 district which is the urban core district and it's a 'everything under the sun' type thing but it's really only within like two or three blocks of Main Street.

Bill Byers said so downtown.

Jim Morley Jr said yeah. He said it's a very, and C-3 only shows up in downtown Evansville so you can't get C-3 on the east side, north side, west side, it's only on downtown and basically within two or three blocks of Main Street. He said that's how they did that one.

Bill Byers said they've got some old factory buildings down there that, even off of Main Street that need...

Jim Morley Jr said they've got that C-3 zoning in the core area but it's only in that area, and that's a very specific zoning to that whole downtown section.

Attorney Doll said well how many people on the board can remember Sears downtown Evansville. He said that's a huge building. He said I don't know if it's fully occupied now.

Jim Morley Jr said Old National Bank is in it.

Attorney Doll said are they really, with the processing center?

Jim Morley Jr said that's what is in it. He said JC Penny building is now a condo building, I mean most of that stuff has been repurposed but the urban core zoning that they have allows for it. He said to

Warrick County's credit though, yours only would allow for it too. He said the City of Evansville had to have a special zoning.

Attorney Doll said but the trickle-down would allow it here.

Jim Morley Jr said the trickle-down, short of a few couple times a year weird requests, the reality of it is the trickle-down has served Warrick County pretty well and it allows for people to put that shop above, whether it's a welding shop or a florist, you know, cause you couldn't say I just want to put my apartment above this C-2 because a guy that's got a welding shop might want to do it. He said that's, welding shop is not a C-2 zoning, you know. He said I'll say that the trickle-down zoning, as weird as it sounds, and I think it catches some people by surprise but I think it's served Warrick County well. He said Warrick County growth outpaces any county around it. He said I think that's a credit to Warrick County.

Morrie Doll said it's our friendly population.

Jim Morley Jr said it must be.

Bill Byers said it's primarily residential.

Jim Morley Jr said your residential is growing very fast, but with that residential inside of our industry, residential is the leading indicator of all other growth. He said as you build houses then you have to build stores and grocery stores and schools and apartments. He said housing is the leading indicator of all growth behind it. He said that will tell you in the industry of housing, if you have a strong housing market that is a good indicator of what is coming in the future. He said it drives everything else behind it.

President Willis called for any other discussion from the board. He asked for the board's wishes.

Bill Byers said I don't know enough to make a decision.

President Willis said do we want to get some information and talk about it next month.

Mrs. Barnhill said I can get some of that information from Ball State and just if it turns out to look like anything, bring it back, if you want.

Bill Byers said do you need a motion for that.

Mrs. Barnhill said to get it off the agenda, yes. She said I'll get that information.

Amanda Mosiman said I can get it within a month, I hope.

Attorney Doll said thank you, Amanda.

Richard Reid made a motion to table the topic.

Jeff Willis said for one month, or until we get the information.

Richard Reid we're not going to rush them.

Doris Horn seconded the motion and it was carried unanimously.

Jeff Willis called for any other business.

Richard Reid made a motion to adjourn. The motion was seconded by Doris Horn and carried unanimously.

ATTEST:

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Molly Barnhill, Executive Director

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Jeff Willis, President